

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

ARBITRATION PETITION NO. 486 OF 2001

Hindustan Shipyard Ltd.

....Petitioners.

Vs.

Tolani Shipping Ltd.

....Respondents.

Mr. R.A. Fernandes for the Petitioners.

Mr. P.V. Shah for the Respondents.

CORAM : ANOOP V. MOHTA, J.

DATE : 25th FEBRUARY, 2011

P.C.:

Matter is placed on board for clarification in view of the objection raised by the Commissioner for Taking Accounts, High Court, Bombay.

2 It is clarified that while maintaining the award passed by the Arbitrator, this Court (Hon'ble Mr. Justice F. I. Rebello), by order dated 8th October, 2001 observed only that the interest from the date of decree till the payment at the rate of 10% p.a. on the principal amount be paid. However, the earlier paragraphs make it clear that

the learned Judge has maintained the award in all respect i.e. the part of award of interest also.

3 The Award in question dated 12th December, 2000, referred as under:-

“ WE NOW AWARD AND DIRECT that the Respondents shall forthwith pay to the Claimants the sum of Rs. 1,12,92,712/- together with interest thereon @ 10% per annum for the period from 17.1.1989 (when the order dt. 1.11.88 of the Hon’ble High Court of Bombay appointing us as Arbitrators was conveyed to us by Claimants’ Solicitors, M/s. Bhatt & Saldanha) upto the date of this Award i.e. 12.12.2000, and further Interest at the same rate for the period from 13.12.2000 until the date of payment.”

4 As the award is confirmed, therefore, in view of above, the decree be drawn accordingly.

5 The praecipe dated 9th February, 2011 is accordingly disposed of.

(ANOOP V. MOHTA, J.)